

JULY 19, 2021

Regular Meeting of Mayor and Council was convened at 7:00 p.m. on July 19, 2021 with Mayor Edward Donovan presiding. This meeting was held in person at Borough Hall and via Zoom.

Mayor Donovan read the statement re: Open Public Meetings Act of 1975 and that adequate notice has been provided by transmitting the Resolution of Annual Meetings to the Asbury Park Press and the Coast Star, by posting it in the Borough Hall on a bulletin board reserved for such announcements, and by posting it on the official website of the borough.

Mayor Donovan welcomed the audience and invited them to join in a moment of silent prayer and a salute to the Flag.

**ROLL CALL:** Present: Council Members Jay Bryant, Jeff Lee, Michael Mangan, Gregg Olivera and Richard Read

Absent: Council Member James Walsh

Also present was Borough Attorney Mark Kitrick and Administrator Thomas Flarity.

Council Member Olivera made a motion to amend the agenda to include the Regular Meeting Minutes of June 21, 2021, seconded by Council Member Mangan. Motion carried unanimously.

### **Approval of Minutes**

Regular Meeting Minutes – June 21, 2021

Council Member Bryant made a motion to approve the minutes, seconded by Council Member Mangan. Motion carried unanimously with Council Member Read abstaining.

### **Audience Participation**

Council Member Bryant made a motion to open the meeting to the public, seconded by Council Member Lee. Motion carried unanimously.

There being no comment, Council Member Olivera made a motion to close the public portion, seconded by Council Member Bryant. Motion carried unanimously.

### **CONSENT AGENDA**

#### **RESOLUTION 200-2021**

**WHEREAS**, the Borough of Manasquan is desirous of appointing Seasonal Beach Employees.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 19<sup>th</sup> of July 2021 appoint the following Seasonal Beach Employees to work during the 2021 Season.

#### **Parking Lot Attendant**

Steve Hanaway \$11.50 per hour

#### **Badge Checkers:**

Sabrina Knight \$11.10 per hour  
Emma Peifly \$9.00 per hour  
Nicolas Viggiano \$9.00 per hour  
Jordan Viggiano \$11.10 per hour  
Kristen Taylor \$11.10 per hour  
Mary Hawks \$11.10 per hour  
Kristina Kuckailis \$11.10 per hour  
Alex Loureiro \$11.10 per hour  
Ann Marie Lokerson \$11.10 per hour  
Ryan Whitmore \$9.00 per hour  
Grace Price \$11.10 per hour

\*Also Approve All Badge Checkers for \$11.50 per hour for Booth Sales

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**Crew**

Trevor Wells \$13.00 per hour  
Patrick Federici \$9.00 per hour  
Luca Marshal \$9.00 per hour  
Ryan Esdaile \$9.00 per hour  
Nathan Attardi \$9.00 per hour

**Jr. Guard**

Sophia Wall \$9.00 per hour

**RESOLUTION**

**201-2021**

**RESOLUTION ACCEPTING A GRANT FOR BODY WORN  
CAMERAS PURSUANT TO SFY21 BODY-WORN CAMERA  
GRANT PROGRAM**

**WHEREAS**, the Manasquan Police Department applied for a grant for the purchase of body worn camera pursuant to the SFY21 Body-Worn Camera Grant Program; and

**WHEREAS**, the SFY21 Body-Worn Camera Grant application was approved for the amount of \$81,520.00; and,

**WHEREAS**, the Borough has committed funds in the amount of \$69,079.00 to bring the grand total of all funds allocated to the purchase of said cameras to \$150,599.00; and,

**WHEREAS**, the Borough awarded a contract to Watchguard Video pursuant to State Contract #17DPP00046-Watchguard in the amount of \$150,599.00 for the purchase of said body-worn camera for the Manasquan Police Department; and,

**WHEREAS**, the Grant Award identifier is #21-BWC-247 for the period of 2021-2025.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough of Manasquan hereby accepts the grant in the amount of \$81,520.00.

**RESOLUTION**

**202-2021**

**BE IT RESOLVED**, that the Hon. Edward G. Donovan, Mayor of the Borough of Manasquan, be and is hereby authorized to sign the Agreement Between The Borough of Manasquan and Mark White, Ph.D. at the contractual retainer of \$2000.00 for EAP services and the fee-for-service charge of \$175.00 per hour for Supervisor-Imposed referrals and fee-for-service of \$625.00, plus computer scoring fees for pre-employment, or pre-promotional evaluations and \$500.00 per hour plus computer scoring fees for Class III pre-employment and pre-promotional evaluations for the term July 15, 2021 through July 14, 2022.

**RESOLUTION**

**203-2021**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH  
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,  
AUTHORIZING THE RELEASE OF A BOND POSTED BY  
CLAUDIA ROSS PURSUANT TO SECTION 15-2 OF CHAPTER 15  
(RENTAL PROPERTY) OF THE MUNICIPAL CODE**

**WHEREAS**, Claudia Ross posted a bond on April 25, 2016 for a 2015 violation in the amount of \$800.00 pursuant to Section 15-2 et seq. of Chapter 15 (Rental Property) of the Municipal Code for property at 128 Rear Second Avenue, Manasquan, New Jersey; and

**WHEREAS**, Claudia Ross posted a second bond on June 6, 2016 for a second violation in the amount of \$800.00 pursuant to Section 15-2 et seq. of Chapter 15 (Rental Property) of the Municipal Code for property at 128 Rear Second Avenue, Manasquan, New Jersey; and

**WHEREAS**, the total of \$1,600.00 in bonds were deposited pursuant to a Consent Agreements with a four year term; and

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**WHEREAS**, an agreement was entered into in January 2017 extending the 2016 four year term to a five year term which ended in May 2021; and

**WHEREAS**, the Borough Council has determined that there is no longer reason to retain the bond proceeds; and

**NOW, THEREFORE BE IT RESOLVED** on the 19<sup>th</sup> day of July, 2021, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. The Chief Financial Officer, is hereby authorized to return the bond proceeds in the amount of \$1,600 to Claudia Ross.
2. The check shall be sent to:

Claudia Ross  
729 River Drive  
Elmwood Park, NJ 07407

**RESOLUTION  
204-2021**

**BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the Borough of Manasquan retains the Professional Engineering services of Colliers Engineering & Design, 331 Newman Springs Roads Suite 203, Red Bank, New Jersey 07701, for providing for professional Construction Administration services for Improvements to the First Phase of First Avenue Improvement Project. The fees are as follows

- Phase 1.0 Construction Administration Services \$98,750.00  
Reimbursables \$3,000.00

for a total lump sum fee amount not to exceed \$101,750.00 for the service outlined in a proposal dated July 12, 2021.

**AND BE IT FURTHER RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the borough authorizes Phase 1.0 with the provision that each subsequent phase shall require additional authorization subject to the recommendation of the Governing Body.

**RESOLUTION  
205-2021**

**WHEREAS**, Terris Garbarini was appointed as Interim Tax Collector for 6 hours per week on May 17, 2021 with the effective date of May 19, 2021; and

**WHEREAS**, the the Tax/Finance Department is now in need of additional hours of work to help cover the office work load.

**NOW, THEREFORE, BE IT RESOLVED**, on the 19<sup>th</sup> of July, 2021 by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. Terris Garbarini will provide additional hours on an as needed basis.
2. The rate for this as needed position is \$40.00 per hour.
3. The effective date of the additional as needed hours is May 19, 2021.
4. A certified copy of this resolution shall be sent to:

Terris Garbarini  
19 Muriel Place  
Manasquan, NJ 08736

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**RESOLUTION  
206-2021**

**RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN  
APPROVED STATE CONTRACT VENDORS FOR CONTRACTING  
UNITS PURSUANT TO N.J.S.A. 40A:11-12a**

**WHEREAS**, the Borough of Manasquan, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

**WHEREAS**, the Borough of Manasquan has the need on a timely basis to purchase goods or services utilizing State contracts for the purpose of the acquisition of equipment for Manasquan Beach; and

**WHEREAS**, the Borough of Manasquan intends to enter into a contract with:  
Cherry Valley Tractor Sales, located at 35 Route 70 West, Marlton, New Jersey 08053, for a New Holland Tractor, Bid # ESCNJ 18/19-25 (Grounds Equipment) and Bid # ESCNJ 18/19-22 (Snow Equipment), and through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current state contracts;

**NOW THEREFORE BE IT RESOLVED**, that the Borough of Manasquan authorizes the Purchasing Agent to purchase certain goods or services from said contractor by approved New Jersey State Approved for approved CO-OP, Education Services Commission of New Jersey # 65MCESCCPS, pursuant to all conditions of the individual state contracts, with Cherry Valley Tractor Sales in the amount of \$125,939.25; and

**BE IT FURTHER RESOLVED**, that the governing body of the Borough of Manasquan pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

**RESOLUTION  
207-2021**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH  
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,  
AUTHORIZING ADVERTISEMENT FOR ACCOUNTS  
PAYABLE/FINANCE EMPLOYEE**

**WHEREAS**, the Borough of Manasquan is in need of a full time Accounts Payable/Finance Employee in the Finance Department; and

**NOW, THEREFORE BE IT RESOLVED** on the 19<sup>th</sup> day of July, 2021, by the Borough Council of the Borough of Manasquan, hereby authorize the Clerk to advertise for a full time employee for the Finance Department.

**RESOLUTION  
208-2021**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH  
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,  
AUTHORIZING A ONE YEAR EXTENSION FOR RECYCLABLE  
MATERIAL COLLECTION, REMOVAL AND DISPOSAL WITH DE  
LISA DEMOLITION, INC.**

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**WHEREAS**, the current contract for the collection, removal and disposal of recyclable materials expires on December 31, 2021;

**WHEREAS**, the Borough of Manasquan wishes to extend the contract with DeLisa Demolition, Inc., Tinton Falls, NJ for Recycling Services for a period of one (1) year with the agreed upon terms and conditions set forth in the Agreement For Recycling Collection Service signed and dated on December 7, 2017 in the agreed upon bid amount of \$89,000; and

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Manasquan the Agreement awarded to DeLisa Demolition, Inc., of Tinton Falls, NJ for Recycling Collection Service for the Borough of Manasquan be extended for a period of one (1) year from January 1, 2022 thru December 31, 2022.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be sent to:

DeLisa Demolition, Inc.  
101 Commerce Avenue  
Tinton Falls, NJ 07753

**RESOLUTION  
209-2021**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH  
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY  
AUTHORIZING A ONE YEAR EXTENSION FOR SOLID WASTE  
COLLECTION SERVICE WITH DE LISA DEMOLITION, INC.**

**WHEREAS**, the current contract for the collection, removal and disposal of recyclable materials expires on December 31, 2021;

**WHEREAS**, the Borough of Manasquan wishes to extend the contract with DeLisa Demolition, Inc., Tinton Falls, NJ for Solid Waste Collection for a period of one (1) year with the agreed upon terms and conditions set forth in the Agreement For Solid Waste Service signed and dated on December 7, 2017 in the agreed upon bid amount of \$293,000; and

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Manasquan the Agreement awarded to DeLisa Demolition, Inc., of Tinton Falls, NJ for Solid Waste Collections Services for the Borough of Manasquan be extended for a period of one (1) year from January 1, 2022 thru December 31, 2022.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be sent to:

DeLisa Demolition, Inc.  
101 Commerce Drive  
Tinton Falls, NJ 07753

**RESOLUTION  
210-2021**

**BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, IN THE County of Monmouth, New Jersey (not less than three (3) members thereof affirmatively concurring) as follows:**

1. All bills or claims as reviewed and approved by the Administration & Finance Committee and as set forth in this Resolution are hereby approved for payment.
2. The Mayor, Municipal Clerk and Chief Financial Officer are hereby authorized and directed to sign checks in payment of bills and claims which are hereby approved.

The computer print-out of the list of checks will be on file in the Clerk's Office.

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Current Fund	\$650,553.30
Capital Fund	\$40,880.72
Water/Sewer Fund	\$18,333.66
Water/Sewer Utility Fund	
Beach Utility Fund	\$22,387.41
Beach Capital Fund	\$7,465.96
Recreation Building Trust	\$6,395.00
Recreation Trust	\$6,647.90
Reserve for Open Space	\$4,466.25
Reserve for Animal Control	\$3.60

Council Member Bryant made a motion to approve the consent agenda, seconded by Council Member Mangan. Motion carried by the following vote: “yes” Council Members Bryant, Lee, Mangan, Olivera and Read. “No” none.

**Ordinances – Second Reading**

The Borough Attorney read the title of ordinance 2359-21 for second reading and final hearing.

**ORDINANCE TO AMEND AND SUPPLEMENT SECTION 7-25.1 (HANDICAPPED PARKING IN STREETS) OF CHAPTER 7 (TRAFFIC) OF THE BOROUGH OF MANASQUAN TO PROVIDE DESIGNATED HANDICAPPED SPACES AT VARIOUS LOCATIONS IN THE BOROUGH OF MANASQUAN, MONMOUTH COUNTY, NEW JERSEY**

Council Member Lee made a motion to open the hearing to the public, seconded by Council Member Mangan. Motion carried unanimously.

There being no comment Council Member Mangan made a motion to close the public hearing, seconded by Council Member Lee. Motion carried unanimously.

Council Member Bryant made a motion to pass and publish ordinance 2359-21 accordingly to law, seconded by Council Member Olivera. Motion carried by the following vote: yes” Council Members Bryant, Lee, Mangan, Olivera and Read. “No” none.

The Borough Attorney read the title of ordinance 2360-21 for second reading and final hearing.

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2 (ADMINISTRATION) SECTION 2-20 (POLICE DEPARTMENT) SUBSECTION 2-20.10 (RULES AND REGULATIONS ADOPTED) AND SECTION 2-20.11 (STANDARDS OF APPEARANCE) OF THE BOROUGH OF MANASQUAN CODE IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

Council Member Mangan made a motion to open the hearing to the public, seconded by Council Member Bryant. Motion carried unanimously.

There being no comment Council Member Bryant made a motion to close the public hearing, seconded by Council Member Lee. Motion carried unanimously.

Council Member Lee made a motion to pass and publish ordinance 2360-21 accordingly to law, seconded by Council Member Bryant. Motion carried by the following vote: yes” Council Members Bryant, Lee, Mangan, Olivera and Read. “No” none.

**Ordinances – First Reading**

The Borough attorney read the title of ordinance 2361-21 for introduction.

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A STREET SWEEPER FOR AND BY THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY,**

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**APPROPRIATING \$200,000 THEREFOR AND AUTHORIZING THE  
ISSUANCE OF \$190,000 BONDS OR NOTES OF THE BOROUGH  
TO FINANCE PART OF THE COST THEREOF**

Council Member Olivera made a motion to introduce ordinance 2361-21, seconded by Council Member Mangan. Motion carried by the following vote: "yes" Council Members Bryant, Lee, Mangan, Olivera and Read. "No" none.

**Committee Reports**

Public Works & Construction Committee - Council Member Bryant reported on the upgrades to Curtis Park and reported on the events at the Downtown Pedestrian Zone on Wednesdays and Thursdays.

Public Safety Committee – Council Member Lee thanked council for approving the grant for the body worn cameras for the police department. He reported on the summonses issued over the weekend by the police department. He also reported that there were 2 stolen cars recently and advised residents to remove the key fob when exiting the vehicle.

Council President Mangan stated that he had nothing to report at this time.

Administration & Finance Committee – Council Member Olivera reported that the bond rating for the town is an AA1 rating which is exceptional. He thanked everyone for their hard work to get to this rating.

Beach & Recreation Committee – Council Member Read stated that he had nothing to report at this time.

**Audience Participation**

Council Member Bryant made a motion to open the public portion, seconded by Council Member Lee. Motion carried unanimously.

Mary Ryan, 113 Beachfront inquired about the report that Council Member Olivera reported on and if it will be posted.

Council Member Olivera made a motion to close the public portion, seconded by Council Member Bryant. Motion carried unanimously.

Council Member Bryant made a motion to reopen the public portion, seconded by Council Member Mangan. Motion carried unanimously.

Gary Gray, 145 Fletcher Avenue voiced his concerns and opinion on the outside entertainment at the Salty Whale.

Council Member Lee made a motion to close the public portion, seconded by Council Member Mangan. Motion carried unanimously.

Council Member Mangan made a motion to close the regular meeting at 7:33 p.m., seconded by Council Member Lee. Motion carried unanimously.

Respectfully Submitted,



Barbara Ilaria  
Municipal Clerk

DATE APPROVED 8/2/2021